

PATENT

*2005 DAC*

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Docket No.: KLEINWÄCHTER-3

*#17*

In re Application of:	)
JÜRGEN KLEINWÄCHTER	)
Appl. No.: 09/827,250	) Examiner: Diamond, Alan D
Filed: April 5, 2001	) Group Art Unit: 1753
For: LIGHT ELEMENT WITH A	)
TRANSLUCENT SURFACE	)

RECEIVED

FEB 1 8 2005

OFFICE OF PETITIONS

TRANSMITTAL OF PETITION FOR REVIVAL OF AN APPLICATION  
FOR PATENT ABANDONED UNINTENTIONALLY UNDER  
37 CFR 1.137(b)

Commissioner for Patents  
PO Box 1450  
Alexandria, VA 22313-1450

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to the Commissioner for Patents, PO Box 1450, Alexandria, VA 22313-1450, on <u>February 11, 2005</u> .	
(Date)	
URSULA B. DAY	
(Name of Registered Representative)	
<i>Alan D. Day</i>	<i>Feb. 11, 2005</i>
(Signature)	(Date of Signature)

SIR:

Enclosed please find an original of the Petition for Revival of an Application for Patent Unintentionally Abandoned under 37 CFR 1.137 (b), signed by the inventor Jürgen Kleinwächter.

02/16/2005 RMEBRAHT 00000033 09827250

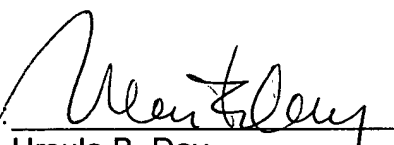
01 FC:2453

750.00 OP

Grant of the Petition is respectfully requested.

The fee in the Amount of \$750.00 for the petition, claiming small entity, is enclosed.

Respectfully submitted,

By:   
Ursula B. Day  
Attorney For Applicant  
Reg. No: 47,296

Date: February 11, 2005  
350 Fifth Avenue  
Suite 4714  
New York, N.Y. 10118  
(212)244-5500  
UBD:ub



#7

PTO/SB/64 (08-04)  
Approved for use through 07/31/2006. OMB 0651-0031  
U.S. Patent and Trademark Office, U.S. DEPARTMENT OF COMMERCE  
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<b>PETITION FOR REVIVAL OF AN APPLICATION FOR PATENT ABANDONED UNINTENTIONALLY UNDER 37 CFR 1.137(b)</b>	<b>Docket Number (Optional) KLEINWÄCHTER -3</b>
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First named inventor: Jürgen Kleinwächter

Application No.: 09/827,250

Art Unit: 1753

Filed: April 5, 2001

Examiner: Alan Diamond

Title: LIGHT ELEMENT WITH A TRANSLUCENT SURFACE

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OFFICE OF PETITIONS

Attention: Office of Petitions  
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Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450  
FAX (703) 872-9306

NOTE: If information or assistance is needed in completing this form, please contact Petitions Information at (703) 305-9282.

The above-identified application became abandoned for failure to file a timely and proper reply to a notice or action by the United States Patent and Trademark Office. The date of abandonment is the day after the expiration date of the period set for reply in the office notice or action plus an extensions of time actually obtained.

**APPLICANT HEREBY PETITIONS FOR REVIVAL OF THIS APPLICATION**

NOTE: A grantable petition requires the following items:

- (1) Petition fee;
- (2) Reply and/or issue fee;
- (3) Terminal disclaimer with disclaimer fee - required for all utility and plant applications filed before June 8, 1995; and for all design applications; and
- (4) Statement that the entire delay was unintentional.

**1. Petition fee**

- ☒ Small entity-fee \$ 750.00 (37 CFR 1.17(m)). Applicant claims small entity status. See 37 CFR 1.27.
- ☐ Other than small entity - fee \$ \_\_\_\_\_ (37 CFR 1.17(m))

**2. Reply and/or fee**

A. The reply and/or fee to the above-noted Office action in the form of AN AMENDMENT (identify type of reply):

- ☐ has been filed previously on \_\_\_\_\_.
- ☒ is enclosed herewith.

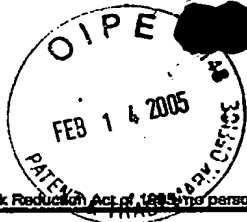
B. The issue fee and publication fee (if applicable) of \$ \_\_\_\_\_.

- ☐ has been paid previously on \_\_\_\_\_.
- ☐ is enclosed herewith.

[Page 1 of 2]

This collection of information is required by 37 CFR 1.137(b). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 1.0 hour to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

3. Terminal disclaimer with disclaimer fee

- ☒ Since this utility/plant application was filed on or after June 8, 1995, no terminal disclaimer is required.
- ☐ A terminal disclaimer (and disclaimer fee (37 CFR 1.20(d)) of \$ \_\_\_\_\_ for a small entity or \$ \_\_\_\_\_ for other than a small entity) disclaiming the required period of time is enclosed herewith (see PTO/SB/63).

4. STATEMENT: The entire delay in filing the required reply from the due date for the required reply until the filing of a grantable petition under 37 CFR 1.137(b) was unintentional. [NOTE: The United States Patent and Trademark Office may require additional information if there is a question as to whether either the abandonment or the delay in filing a petition under 37 CFR 1.137(b) was unintentional (MPEP 711.03(c), subsections (III)(C) and (D)).]

**WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.**

J. Kleinwächter 29.12.04  
Signature Date

JÜRGEN KLEINWÄCHTER  
Typed or printed name

Industriestrasse 3  
Address

D-79541 Lörrach, Germany  
Address

**HERE SIGN** Registration Number, if applicable  
07621 9568511  
Telephone Number

Enclosures: ☒ Fee Payment

☒ Reply

☐ Terminal Disclaimer Form

☐ Additional sheets containing statements establishing unintentional delay

☐ Other: \_\_\_\_\_

CERTIFICATE OF MAILING OR TRANSMISSION [37 CFR 1.8(a)]

I hereby certify that this correspondence is being:

☒ Deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to: Mail Stop Petition, Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450.

☐ Transmitted by facsimile on the date shown below to the United States Patent and Trademark Office as (703) 872-9306.

29.12.04  
Date

Jürgen Kleinwächter  
Signature

Jürgen Kleinwächter  
Typed or printed name of person signing certificate